

PROSE_EFILER

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:11-cv-13101-RHC-MKM**

Macomb Interceptor Drain Drainage District v. Kilpatrick et al
Assigned to: District Judge Robert H. Cleland
Referred to: Magistrate Judge Mona K. Majzoub
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 07/18/2011
Jury Demand: Both
Nature of Suit: 470 Racketeer/Corrupt Organization
Jurisdiction: Federal Question

| Date Filed | # | Docket Text |
|------------|--------------------------|---|
| 07/18/2011 | <u>1</u> | COMPLAINT filed by All Plaintiffs against All Defendants. Plaintiff requests summons issued . Receipt No: 0645-3073406 - Fee: \$ 350. County of 1st Plaintiff: Macomb - County Where Action Arose: Macomb - County of 1st Defendant: Out of State. [Previously dismissed case: No] [Possible companion case(s): None] (Attachments: # <u>1</u> Exhibit A- First Superceding Indictment, # <u>2</u> Exhibit B- Documents regarding Detroit Order 2004-5, # <u>3</u> Exhibit C- Inland Waters Contract CS-1368 dated Feb 2002, # <u>4</u> Exhibit D- Amendment 2 to Inland Waters Contract CS-1368, # <u>5</u> Exhibit E- Inland Waters Budget dated 9/30/04, # <u>6</u> Exhibit F- Macomb Acquisition Agreement) (Badalamenti, Raechel) (Entered: 07/18/2011) |
| 07/19/2011 | <u>2</u> | SUMMONS Issued for *Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, Lawrence R Dubay, Dubay's Landscaping Services, Inc., Bobby W. Ferguson, Ferguson's Enterprises, Inc, FutureNet Group, Inc., Thomas Gouin, Wendy Gouin, Great Lakes Diving & Salvage, Inc., Joe Harris, Hayward Baker, Inc, Inland Waters Pollution Control, Inc., J-Mack Agency, LLC, Kwame Kilpatrick, L. D'Agostini & Sons, Inc., Lakeshore Engineering Services, Inc., Brian Lenaghan, Joseph M Macksound, Perry Mehta, Victor Mercado, Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc., Derrick A. Miller, Mark E O'Laughlin, O'Laughlin Construction Company, Dennis Oszust, Bharat Patel, Patriot Pumps, LLC, Avinash Rachmale, Steve Rohrscheib, Rohrscheib Sons Caissons, Inc., Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC, Walter Rozycki, Anthony Soave, Superior Enginering Associates, Inc., Robert L. Williams* (BSoc) (Entered: 07/19/2011) |
| 07/19/2011 | | A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (BSoc) (Entered: 07/19/2011) |
| 07/19/2011 | <u>3</u> | |

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| | | ATTORNEY APPEARANCE: Lawrence M. Scott appearing on behalf of Macomb Interceptor Drain Drainage District (Attachments: # 1 Proof of Service) (Scott, Lawrence) (Entered: 07/19/2011) |
| 07/29/2011 | 4 | ATTORNEY APPEARANCE: Mark L. McAlpine appearing on behalf of Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc. (McAlpine, Mark) (Entered: 07/29/2011) |
| 07/29/2011 | 5 | ATTORNEY APPEARANCE: Marcus R. Sanborn appearing on behalf of Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc. (Sanborn, Marcus) (Entered: 07/29/2011) |
| 07/29/2011 | 6 | ATTORNEY APPEARANCE: David M. Zack appearing on behalf of Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc. (Zack, David) (Entered: 07/29/2011) |
| 08/05/2011 | 7 | NOTICE of Appearance by William W. Misterovich on behalf of All Plaintiffs. (Misterovich, William) (Entered: 08/05/2011) |
| 08/08/2011 | 8 | NOTICE of Appearance by Paul M. Mersino on behalf of Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Mersino, Paul) (Entered: 08/08/2011) |
| 08/09/2011 | 9 | WAIVER OF SERVICE Returned Executed. Antonio D'Agostini waiver sent on 7/26/2011, answer due 9/26/2011. (Zack, David) (Entered: 08/09/2011) |
| 08/09/2011 | 10 | WAIVER OF SERVICE Returned Executed. L. D'Agostini & Sons, Inc. waiver sent on 7/26/2011, answer due 9/26/2011. (Zack, David) (Entered: 08/09/2011) |
| 08/09/2011 | 11 | WAIVER OF SERVICE Returned Executed. James D'Agostini waiver sent on 7/26/2011, answer due 9/26/2011. (Zack, David) (Entered: 08/09/2011) |
| 08/09/2011 | 12 | WAIVER OF SERVICE Returned Executed. L. Robert D'Agostini waiver sent on 7/26/2011, answer due 9/26/2011. (Zack, David) (Entered: 08/09/2011) |
| 08/10/2011 | 13 | WAIVER OF SERVICE Returned Executed. Perry Mehta waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/10/2011) |
| 08/10/2011 | 14 | WAIVER OF SERVICE Returned Executed. FutureNet Group, Inc. waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/10/2011) |
| 08/10/2011 | 15 | WAIVER OF SERVICE Returned Executed. Anthony Soave waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/10/2011) |
| 08/10/2011 | 16 | WAIVER OF SERVICE Returned Executed. Benjamin Rosenberg waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/10/2011) |
| 08/10/2011 | 17 | WAIVER OF SERVICE Returned Executed. Rotor Electric Company of Michigan, LLC waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/10/2011) |

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| 08/15/2011 | <u>18</u> | WAIVER OF SERVICE Returned Executed. Joseph M Macksound waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/15/2011) |
| 08/15/2011 | <u>19</u> | WAIVER OF SERVICE Returned Executed. J-Mack Agency, LLC waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/15/2011) |
| 08/15/2011 | <u>20</u> | WAIVER OF SERVICE Returned Executed. Mersino Dewatering, Inc. waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/15/2011) |
| 08/15/2011 | <u>21</u> | WAIVER OF SERVICE Returned Executed. Rodney A Mersino waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/15/2011) |
| 08/15/2011 | <u>22</u> | WAIVER OF SERVICE Returned Executed. Marco Mersino waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/15/2011) |
| 08/24/2011 | <u>23</u> | ATTORNEY APPEARANCE: John S. Mrowiec - NOT SWORN appearing on behalf of Joe Harris, Hayward Baker, Inc (Mrowiec - NOT SWORN, John) (Entered: 08/24/2011) |
| 08/24/2011 | <u>24</u> | ATTORNEY APPEARANCE: Erik R. Nelson - NOT SWORN appearing on behalf of Joe Harris, Hayward Baker, Inc (Nelson - NOT SWORN, Erik) (Entered: 08/24/2011) |
| 08/26/2011 | <u>25</u> | WAIVER OF SERVICE Returned Executed. Joe Harris waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/26/2011) |
| 08/26/2011 | <u>26</u> | WAIVER OF SERVICE Returned Executed. Hayward Baker, Inc waiver sent on 7/26/2011, answer due 9/26/2011. (Badalamenti, Raechel) (Entered: 08/26/2011) |
| 08/29/2011 | <u>27</u> | NOTICE of Appearance by Patrick A. Facca on behalf of Joe Harris, Hayward Baker, Inc. (Facca, Patrick) (Entered: 08/29/2011) |
| 08/31/2011 | <u>28</u> | NOTICE of Appearance by Michael F. Jacobson on behalf of Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki. (Jacobson, Michael) (Entered: 08/31/2011) |
| 08/31/2011 | <u>29</u> | NOTICE of Appearance by David J. Poirier on behalf of Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki. (Poirier, David) (Entered: 08/31/2011) |
| 08/31/2011 | <u>30</u> | WAIVER OF SERVICE Returned Executed. Inland Waters Pollution Control, Inc. waiver sent on 7/26/2011, answer due 9/26/2011. (Poirier, David) (Entered: 08/31/2011) |
| 08/31/2011 | <u>31</u> | WAIVER OF SERVICE Returned Executed. Dennis Oszust waiver sent on 7/26/2011, answer due 9/26/2011. (Poirier, David) (Entered: 08/31/2011) |
| 08/31/2011 | <u>32</u> | |

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| | | WAIVER OF SERVICE Returned Executed. Walter Rozycki waiver sent on 8/5/2011, answer due 10/4/2011. (Poirier, David) (Entered: 08/31/2011) |
| 09/01/2011 | 33 | MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Attachments: # 1 Exhibit Sample RICO Case Statement) (Zack, David) (Entered: 09/01/2011) |
| 09/01/2011 | 34 | ANSWER to Complaint with Affirmative Defenses by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc.. (Parfitt, Chris) (Entered: 09/01/2011) |
| 09/01/2011 | 35 | CERTIFICATE OF SERVICE re 34 Answer to Complaint by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc. (Parfitt, Chris) (Entered: 09/01/2011) |
| 09/01/2011 | 36 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Rohrscheib Sons Caissons, Inc. (Parfitt, Chris) (Entered: 09/01/2011) |
| 09/02/2011 | 37 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by L. D'Agostini & Sons, Inc. (Zack, David) (Entered: 09/02/2011) |
| 09/06/2011 | 38 | STIPULATION AND ORDER Extending Date for Inland Waters Pollution Control Inc., Dennis Oszust and Walter Rozycki to file a Responsive Pleading, (Responses due by 10/4/2011) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 09/06/2011) |
| 09/07/2011 | 39 | NOTICE of Appearance by Thomas M. Fallucca on behalf of Anthony Soave. (Fallucca, Thomas) (Entered: 09/07/2011) |
| 09/07/2011 | 40 | MOTION to Dismiss by Anthony Soave. (Attachments: # 1 Exhibit Case History: Emergency Repair, # 2 Exhibit Article June 22, 2005 Detroit news) (Fallucca, Thomas) (Entered: 09/07/2011) |
| 09/07/2011 | 41 | MOTION to Dismiss <i>Claims as Time Barred</i> by Anthony Soave. (Fallucca, Thomas) (Entered: 09/07/2011) |
| 09/15/2011 | 42 | ANSWER to Complaint with Affirmative Defenses by Kwame Kilpatrick. (Thomas, James) (Entered: 09/15/2011) |
| 09/16/2011 | 43 | NOTICE of hearing on 33 MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> , 40 MOTION to Dismiss, 41 MOTION to Dismiss <i>Claims as Time Barred</i> . Motion Hearing set for 11/2/2011 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 09/16/2011) |
| 09/19/2011 | 44 | ANSWER to Complaint with Affirmative Defenses <i>Amended</i> by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc.. (Parfitt, Chris) (Entered: 09/19/2011) |
| 09/19/2011 | 45 | CERTIFICATE OF SERVICE re 44 Answer to Complaint by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc. (Parfitt, Chris) (Entered: 09/19/2011) |

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| 09/21/2011 | 46 | STIPULATION AND ORDER Extending Time to file Response as to 33 MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> : (Responses due by 10/6/2011) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 09/21/2011) |
| 09/26/2011 | 47 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Hayward Baker, Inc (Mrowiec - NOT SWORN, John) (Entered: 09/26/2011) |
| 09/26/2011 | 48 | ANSWER to Complaint by J-Mack Agency, LLC, Joseph M Macksound. (Leaf, Martin) (Entered: 09/26/2011) |
| 09/26/2011 | 49 | MOTION to Dismiss by Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Mersino, Paul) (Entered: 09/26/2011) |
| 09/26/2011 | 50 | ANSWER to Complaint with Affirmative Defenses by Joe Harris, Hayward Baker, Inc. (Facca, Patrick) (Entered: 09/26/2011) |
| 09/26/2011 | 51 | STIPULATION AND ORDER Extending Time to File Response as to 40 MOTION to Dismiss, 41 MOTION to Dismiss <i>Claims as Time Barred</i> : (Responses due by 10/6/2011) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 09/26/2011) |
| 09/26/2011 | 52 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Mersino Dewatering, Inc. (Mersino, Paul) (Entered: 09/26/2011) |
| 09/29/2011 | 53 | MOTION for Sanctions <i>Under Rule 11</i> by Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Attachments: # 1 Exhibit 1 - Proof of Service) (Mersino, Paul) (Entered: 09/29/2011) |
| 10/03/2011 | 54 | NOTICE of hearing on 53 MOTION for Sanctions <i>Under Rule 11</i> , 49 MOTION to Dismiss. Motion Hearing set for 11/16/2011 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 10/03/2011) |
| 10/04/2011 | 55 | NOTICE of Appearance by Stephen P. Stella on behalf of Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC. (Stella, Stephen) (Entered: 10/04/2011) |
| 10/04/2011 | 56 | ANSWER to Complaint with Affirmative Defenses with Jury Demand by Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC. (Stella, Stephen) (Entered: 10/04/2011) |
| 10/04/2011 | 57 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC identifying Corporate Parent Rotor Electric Company of Michigan, LLC f/k/a Rotor Electric Company for Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC. (Stella, Stephen) (Entered: 10/04/2011) |
| 10/04/2011 | 58 | MOTION to Dismiss by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1 -Article, # 3 Exhibit 2 - Article, # 4 Exhibit 3 - Award Letter, # 5 Exhibit 4 - Letter) (Poirier, David) (Entered: 10/04/2011) |
| 10/04/2011 | 59 | |

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| | | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Inland Waters Pollution Control, Inc. (Poirier, David) (Entered: 10/04/2011) |
| 10/06/2011 | 60 | RESPONSE to 40 MOTION to Dismiss filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit Detroit News Article, 12/17/2010, # 2 Exhibit Defendant Soave's Web Journal Article, # 3 Exhibit Inland's Certificate of Merger, # 4 Defendant Miller's Rule 11 Plea Agreement) (Badalamenti, Raechel) (Entered: 10/06/2011) |
| 10/06/2011 | 61 | RESPONSE to 41 MOTION to Dismiss <i>Claims as Time Barred</i> filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit Rule 11 Plea Agreement) (Badalamenti, Raechel) (Entered: 10/06/2011) |
| 10/06/2011 | 62 | RESPONSE to 33 MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit Crain's Detroit Business Article, 8/15/2011, # 2 Exhibit Michigan Construction Law Digest Article, 4/27/2009, # 3 Exhibit Walbridge v. City of Detroit Opinion and Order, Docket 08-0627 (10/18/08), # 4 Exhibit Crain's Detroit Business Article, 7/27/2011, # 5 Exhibit Township of Grosse Ile Press Release, 7/25/2011, # 6 Exhibit Rule 11 Plea Agreement) (Badalamenti, Raechel) (Entered: 10/06/2011) |
| 10/10/2011 | 63 | Ex Parte MOTION for Leave to File Excess Pages by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 10/10/2011) |
| 10/10/2011 | 64 | MOTION to Strike 60 Response to Motion, <i>to Dismiss for Failure to State a Claim</i> by Anthony Soave. (Fallucca, Thomas) (Entered: 10/10/2011) |
| 10/10/2011 | 65 | NOTICE of Appearance by Lauren Du Val Donofrio on behalf of All Plaintiffs. (Donofrio, Lauren) (Entered: 10/10/2011) |
| 10/10/2011 | 66 | Ex Parte MOTION for Leave to File Excess Pages <i>with regard to Docket No 60</i> by All Plaintiffs. (Donofrio, Lauren) (Entered: 10/10/2011) |
| 10/10/2011 | 67 | Ex Parte MOTION for Leave to File Excess Pages <i>with regard to Docket No 62</i> by All Plaintiffs. (Donofrio, Lauren) (Entered: 10/10/2011) |
| 10/11/2011 | | TEXT-ONLY ORDER GRANTING 67 Ex Parte MOTION for Leave to File Excess Pages <i>with regard to Docket No 62</i> filed by Macomb Interceptor Drain Drainage District, GRANTING 63 Ex Parte MOTION for Leave to File Excess Pages filed by Antonio D'Agostini, L. Robert D'Agostini, James D'Agostini, L. D'Agostini & Sons, Inc.,and GRANTING 66 Ex Parte MOTION for Leave to File Excess Pages <i>with regard to Docket No 60</i> filed by Macomb Interceptor Drain Drainage District. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/11/2011) |
| 10/11/2011 | 68 | NOTICE of Appearance by Gordon D. Todd - NOT SWORN on behalf of Anthony Soave. (Todd - NOT SWORN, Gordon) (Entered: 10/11/2011) |
| 10/11/2011 | 69 | NOTICE of Appearance by Thomas C. Green - NOT SWORN on behalf of Anthony Soave. (Green - NOT SWORN, Thomas) (Entered: 10/11/2011) |

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| 10/12/2011 | 70 | NOTICE of Appearance by David J. Poirier on behalf of Robert L. Williams. (Poirier, David) (Entered: 10/12/2011) |
| 10/12/2011 | 71 | NOTICE of Appearance by Michael F. Jacobson on behalf of Robert L. Williams. (Jacobson, Michael) (Entered: 10/12/2011) |
| 10/12/2011 | 72 | MOTION to Dismiss by Robert L. Williams. (Poirier, David) (Entered: 10/12/2011) |
| 10/13/2011 | 73 | NOTICE of Appearance by Matthew C. Herstein on behalf of Steve Rohrscheib, Rohrscheib Sons Caissons, Inc.. (Herstein, Matthew) (Entered: 10/13/2011) |
| 10/14/2011 | 74 | STIPULATION AND ORDER Regarding Defendant Soave's 64 MOTION to Strike 60 Response to Motion, <i>to Dismiss for Failure to State a Claim</i> Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/14/2011) |
| 10/14/2011 | 75 | STIPULATION AND ORDER for Extension of Time for Responsive Pleadings from Defendants O'Laughlin Construction Company and Mark E. O'Laughlin, (Responses due by 11/14/2011) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/14/2011) |
| 10/17/2011 | 76 | MOTION for Leave to File Excess Pages <i>Regarding Mersino Defendants' Motion to Dismiss (Docket #49)</i> by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 10/17/2011) |
| 10/17/2011 | 77 | RESPONSE to 53 MOTION for Sanctions <i>Under Rule 11</i> filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Document Continuation) (Badalamenti, Raechel) (Entered: 10/17/2011) |
| 10/17/2011 | 78 | AMENDED by J-Mack Agency, LLC, Joseph M Macksound <i>Ammended Answer</i> (Leaf, Martin) (Entered: 10/17/2011) |
| 10/17/2011 | 79 | RESPONSE to 49 MOTION to Dismiss filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 10/17/2011) |
| 10/19/2011 | | TEXT-ONLY NOTICE: Hearing on Motions to Dismiss are Cancelled re 43 Notice of Hearing on Motion, 54 Notice of Hearing on Motion (LWag) (Entered: 10/19/2011) |
| 10/19/2011 | | TEXT-ONLY ORDER GRANTING 76 MOTION for Leave to File Excess Pages <i>Regarding Mersino Defendants' Motion to Dismiss (Docket #49)</i> filed by Macomb Interceptor Drain Drainage District. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/19/2011) |
| 10/19/2011 | 80 | NOTICE of Joinder/Concurrence in 49 MOTION to Dismiss filed by Mersino Dewatering, Inc., Marco Mersino, Rodney A Mersino by Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC (Stella, Stephen) (Entered: 10/19/2011) |
| 10/19/2011 | 81 | REPLY to Response re 41 MOTION to Dismiss <i>Claims as Time Barred</i> filed by Anthony Soave. (Fallucca, Thomas) (Entered: 10/19/2011) |
| 10/19/2011 | 82 | REPLY to Response re 40 MOTION to Dismiss <i>For failure to State a Claim</i> filed by Anthony Soave. (Fallucca, Thomas) (Entered: 10/19/2011) |

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| 10/20/2011 | 83 | REPLY to Response re 33 MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> MOTION to Dismiss <i>under Federal Rule of Civil Procedure 12(b)(6)</i> filed by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 10/20/2011) |
| 10/24/2011 | 84 | REPLY to Response re 53 MOTION for Sanctions <i>Under Rule 11</i> filed by Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Mersino, Paul) (Entered: 10/24/2011) |
| 10/24/2011 | 85 | ORDER ADJOURNING Motion Hearings set for 11/2/2011 and 11/16/2011 re 43 Notice of Hearing on Motion, 54 Notice of Hearing on Motion. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/24/2011) |
| 10/24/2011 | 86 | NOTICE of Joinder/Concurrence in 80 Notice of Joinder/Concurrence filed by Rotor Electric Company of Michigan, LLC, Benjamin Rosenberg by Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC <i>Defendants Rotor Electric Company Of Michigan, LLC And Benjamin Rosenberg's Reply In Support Of Their Concurrence With The Mersino Defendants' Motion To Dismiss</i> (Stella, Stephen) (Entered: 10/24/2011) |
| 10/24/2011 | 87 | MOTION for Leave to File Excess Pages <i>in Response to Inland Defendants' Motion to Dismiss (Docket # 58)</i> by All Plaintiffs. (Donofrio, Lauren) (Entered: 10/24/2011) |
| 10/24/2011 | 88 | RESPONSE to 58 MOTION to Dismiss filed by All Plaintiffs. (Donofrio, Lauren) (Entered: 10/24/2011) |
| 10/25/2011 | | TEXT-ONLY ORDER GRANTING 87 MOTION for Leave to File Excess Pages <i>in Response to Inland Defendants' Motion to Dismiss (Docket # 58)</i> filed by Macomb Interceptor Drain Drainage District. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/25/2011) |
| 10/25/2011 | 89 | NOTICE of Appearance by Thomas D. Noonan on behalf of Mark E O'Laughlin, O'Laughlin Construction Company. (Noonan, Thomas) (Entered: 10/25/2011) |
| 10/26/2011 | 90 | WAIVER OF SERVICE Returned Executed. Victor Mercado waiver sent on 8/5/2011, answer due 10/4/2011. (Badalamenti, Raechel) (Entered: 10/26/2011) |
| 10/26/2011 | 91 | NOTICE of Pro Se Appearance by Victor Mercado. (DTyl) (Entered: 10/27/2011) |
| 10/31/2011 | 92 | ATTORNEY APPEARANCE: Christian P. Collis appearing on behalf of Patriot Pumps, LLC (Collis, Christian) (Entered: 10/31/2011) |
| 10/31/2011 | 93 | ATTORNEY APPEARANCE: Christian P. Collis appearing on behalf of Brian Lenaghan (Collis, Christian) (Entered: 10/31/2011) |
| 10/31/2011 | 94 | ANSWER to Complaint with Affirmative Defenses by Brian Lenaghan. (Collis, Christian) (Entered: 10/31/2011) |
| 10/31/2011 | 95 | ANSWER to Complaint with Affirmative Defenses by Patriot Pumps, LLC. (Collis, Christian) (Entered: 10/31/2011) |

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| 10/31/2011 | 96 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Patriot Pumps, LLC identifying Corporate Parent Patriot Pump LLC for Patriot Pumps, LLC. (Collis, Christian) (Entered: 10/31/2011) |
| 10/31/2011 | 97 | Ex Parte MOTION for Leave to File Excess Pages <i>in Reply to Plaintiff's Response in Opposition to the Their Motion to Dismiss</i> by Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Mersino, Paul) (Entered: 10/31/2011) |
| 10/31/2011 | 98 | REPLY to Response re 49 MOTION to Dismiss filed by Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Mersino, Paul) (Entered: 10/31/2011) |
| 11/01/2011 | | TEXT-ONLY ORDER GRANTING 97 Ex Parte MOTION for Leave to File Excess Pages <i>in Reply to Plaintiff's Response in Opposition to the Their Motion to Dismiss</i> filed by Mersino Dewatering, Inc., Marco Mersino, Rodney A Mersino. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/01/2011) |
| 11/04/2011 | 99 | MOTION to Dismiss by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Herstein, Matthew) (Entered: 11/04/2011) |
| 11/04/2011 | 100 | CERTIFICATE OF SERVICE re 99 MOTION to Dismiss by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc. (Herstein, Matthew) (Entered: 11/04/2011) |
| 11/04/2011 | 101 | MOTION for Alternate Service <i>and Extension of Summonses</i> by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A- Affidavit Regarding Ferguson Defendants, # 3 Exhibit B- Tax Assessor Record regarding Ferguson Defendants, # 4 Exhibit C- Affidavit regarding Dubai Defendants, # 5 Exhibit D- Tax Assessor Record regarding Dubai Defendants, # 6 Exhibit E- Request for Waiver Envelope to Superior/Patel Defendants, # 7 Exhibit F- Affidavit regarding Superior Defendant, # 8 Exhibit G- Tax Assessor Record regarding Superior Defendant) (Badalamenti, Raechel) (Entered: 11/04/2011) |
| 11/07/2011 | 102 | Ex Parte MOTION for Leave to File Excess Pages by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 11/07/2011) |
| 11/07/2011 | 103 | REPLY to Response re 72 MOTION to Dismiss, 58 MOTION to Dismiss filed by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 11/07/2011) |
| 11/10/2011 | 104 | NOTICE of Appearance by Stephen A. Bromberg on behalf of Mark E O'Laughlin, O'Laughlin Construction Company. (Bromberg, Stephen) (Entered: 11/10/2011) |
| 11/10/2011 | 105 | APPLICATION for Pro Se E-Filing Login and Password by Victor M. Mercado. [APPROVED] (KCla) (Entered: 11/10/2011) |
| 11/10/2011 | | Pro Se E-filing Account Created for Victor M. Mercado. (VLun) (Entered: 11/10/2011) |

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| 11/10/2011 | | Pro Se E-filing Account Created for Victor M. Mercado. (VLun) (Entered: 11/10/2011) |
| 11/11/2011 | 106 | RESPONSE to 49 MOTION to Dismiss <i>Concurrence and Request for Dismissal filed by Rotor Electric Company of Michigan LLC and Benjamin Rosenberg</i> filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 11/11/2011) |
| 11/15/2011 | 107 | STIPULATION AND ORDER for Extension of Time for Defendants O'Laughlin Construction Compnay and Mark E. O'Laughlin to file a Responsive pleading, (Responses due by 12/14/2011) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/15/2011) |
| 11/15/2011 | | TEXT-ONLY ORDER GRANTING 102 Ex Parte MOTION for Leave to File Excess Pages filed by Walter Rozycki, Dennis Oszust, Inland Waters Pollution Control, Inc., Robert L. Williams. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/15/2011) |
| 11/16/2011 | 108 | OPINION AND ORDER granting in part and denying in part 101 Plaintiff's Motion for Alternate Service and Extension of Summons. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/16/2011) |
| 11/16/2011 | 109 | CERTIFICATE of Service/Summons Returned Executed. Dubay's Landscaping Services, Inc. served on 11/4/2011, answer due 11/28/2011. (Badalamenti, Raechel) (Entered: 11/16/2011) |
| 11/16/2011 | 110 | CERTIFICATE of Service/Summons Returned Executed. Lawrence R Dubay served on 11/4/2011, answer due 11/28/2011. (Badalamenti, Raechel) (Entered: 11/16/2011) |
| 11/17/2011 | 111 | MOTION to Dismiss by Brian Lenaghan. (Collis, Christian) (Entered: 11/17/2011) |
| 11/17/2011 | 112 | MOTION to Dismiss by Patriot Pumps, LLC. (Collis, Christian) (Entered: 11/17/2011) |
| 11/17/2011 | | REQUEST for SUMMONS for Derrick A. Miller. (Badalamenti, Raechel) (Entered: 11/17/2011) |
| 11/17/2011 | | REQUEST for SUMMONS for Bobby W. Ferguson, Ferguson's Enterprises, Inc, Thomas Gouin, Wendy Gouin, Great Lakes Diving & Salvage, Inc., Derrick A. Miller, Bharat Patel. (Badalamenti, Raechel) (Entered: 11/17/2011) |
| 11/18/2011 | 113 | SUMMONS Issued for *Bobby W. Ferguson, Ferguson's Enterprises, Inc, Thomas Gouin, Wendy Gouin, Great Lakes Diving & Salvage, Inc., Derrick A. Miller, Bharat Patel* (TMcg) (Entered: 11/18/2011) |
| 11/18/2011 | 114 | CERTIFICATE of Service/Summons Returned Executed. Superior Engineering Associates, Inc. served on 11/16/2011, answer due 12/7/2011. (Badalamenti, Raechel) (Entered: 11/18/2011) |
| 11/28/2011 | 115 | RESPONSE to 99 MOTION to Dismiss filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit Crain's Business Article, dated |

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| | | July 24, 2011, # 2 Exhibit Rule 11 Plea Agreement) (Badalamenti, Raechel) (Entered: 11/28/2011) |
| 11/29/2011 | 116 | ATTORNEY APPEARANCE: Daniel J. Donahue appearing on behalf of Lawrence R Dubay, Dubay's Landscaping Services, Inc. (Donahue, Daniel) (Entered: 11/29/2011) |
| 12/02/2011 | 117 | ANSWER to Complaint with Affirmative Defenses <i>and Proof of Service</i> by Lawrence R Dubay, Dubay's Landscaping Services, Inc.. (Donahue, Daniel) (Entered: 12/02/2011) |
| 12/02/2011 | 118 | STATEMENT of DISCLOSURE of CORPORATE AFFILIATIONS and FINANCIAL INTEREST by Lawrence R Dubay, Dubay's Landscaping Services, Inc. (Donahue, Daniel) (Entered: 12/02/2011) |
| 12/07/2011 | 119 | NOTICE of Appearance by Ronald E. Kaplovitz on behalf of Perry Mehta. (Kaplovitz, Ronald) (Entered: 12/07/2011) |
| 12/07/2011 | 120 | NOTICE of Appearance by Ronald E. Kaplovitz on behalf of FutureNet Group, Inc.. (Kaplovitz, Ronald) (Entered: 12/07/2011) |
| 12/07/2011 | 121 | ANSWER to Complaint with Affirmative Defenses by Perry Mehta. (Kaplovitz, Ronald) (Entered: 12/07/2011) |
| 12/07/2011 | 122 | ANSWER to Complaint with Affirmative Defenses by FutureNet Group, Inc.. (Kaplovitz, Ronald) (Entered: 12/07/2011) |
| 12/07/2011 | 123 | MOTION to Dismiss by Perry Mehta. (Kaplovitz, Ronald) (Entered: 12/07/2011) |
| 12/07/2011 | 124 | MOTION to Dismiss by FutureNet Group, Inc. (Kaplovitz, Ronald) Modified on 12/8/2011 (KKra). [ON BEHALF OF FUTURENET GROUP, INC AND PERRY MEHTA] (Entered: 12/07/2011) |
| 12/07/2011 | 125 | MOTION to Dismiss by Perry Mehta. (Kaplovitz, Ronald) Modified on 12/7/2011 (KKra). [DOCUMENT IS A DUPLICATE OF ENTRY 124] (Entered: 12/07/2011) |
| 12/08/2011 | 126 | MOTION for Leave to File Excess Pages <i>Regarding Response in Opposition to Patriot Pump Defendants' Motion(s) to Dismiss (Dockets 111 and 112)</i> by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 12/08/2011) |
| 12/08/2011 | 127 | RESPONSE to 112 MOTION to Dismiss, 111 MOTION to Dismiss filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit Exhibit #1 - Miller Plea Agreement) (Badalamenti, Raechel) (Entered: 12/08/2011) |
| 12/09/2011 | 128 | STIPULATION AND ORDER for Extension of time for defendants O'Laughlin Construction Company and Mark E. O'Laughlin to file a responsive pleading, (Responses due by 1/16/2012) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/09/2011) |
| 12/09/2011 | | TEXT-ONLY ORDER GRANTING re 126 MOTION for Leave to File Excess Pages <i>Regarding Response in Opposition to Patriot Pump Defendants' Motion</i> |

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| | | (s) to Dismiss (<i>Dockets 111 and 112</i>) filed by Macomb Interceptor Drain Drainage District. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/09/2011) |
| 12/09/2011 | 129 | REPLY to Response re 99 MOTION to Dismiss filed by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc.. (Attachments: # 1 Exhibit A) (Herstein, Matthew) (Entered: 12/09/2011) |
| 12/19/2011 | 130 | MOTION to Dismiss by FutureNet Group, Inc., Perry Mehta. (Kaplovitz, Ronald) Modified on 12/19/2011 (KKra). [AMENDED] (Entered: 12/19/2011) |
| 12/19/2011 | 131 | AMENDED ANSWER to Complaint with Affirmative Defenses by Lawrence R Dubay, Dubay's Landscaping Services, Inc.. (Donahue, Daniel) (Entered: 12/19/2011) |
| 12/22/2011 | 132 | NOTICE of Appearance by Anthony S. Spokojny on behalf of Thomas Gouin, Wendy Gouin, Great Lakes Diving & Salvage, Inc.. (Spokojny, Anthony) (Entered: 12/22/2011) |
| 12/22/2011 | 133 | NOTICE by FutureNet Group, Inc., Perry Mehta of withdrawal of 124 MOTION to Dismiss. (Kaplovitz, Ronald) (Entered: 12/22/2011) |
| 12/22/2011 | 134 | NOTICE of Appearance by Walter J. Piszczatowski on behalf of Lakeshore Engineering Services, Inc., Avinash Rachmale. (Piszczatowski, Walter) (Entered: 12/22/2011) |
| 12/27/2011 | 135 | NOTICE of Appearance by Olivia N. Keuten on behalf of All Plaintiffs. (Keuten, Olivia) (Entered: 12/27/2011) |
| 12/27/2011 | 136 | NOTICE of Appearance by Scott S. Yaldo on behalf of Bharat Patel, Superior Engineering Associates, Inc.. (Yaldo, Scott) (Entered: 12/27/2011) |
| 12/28/2011 | 137 | NOTICE TO APPEAR: Status/Scheduling Conference set for 2/10/2012 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 12/28/2011) |
| 12/29/2011 | 138 | ANSWER to Complaint by Victor M. Mercado. (Mercado, Victor) (Entered: 12/29/2011) |
| 12/29/2011 | 139 | Second MOTION for Alternate Service <i>and for Extension of Summonses</i> by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A- Returned Envelope from attempted first class mail service upon Miller, # 3 Exhibit B- Second Returned Envelope from attempted first class mail service upon Miller, # 4 Exhibit C- Appearance Bond Signed By Derrick A. Miller, # 5 Exhibit D- Miller Plea Agreement, # 6 Exhibit E - Refusal to accept service letter from Miller's criminal attorney, # 7 Exhibit F- Affidavit of Non-Service re Miller, # 8 Exhibit G- First Affidavit of Non-Service re Ferguson Defendants, # 9 Exhibit H- Second Affidavit of Non-Service re: Ferguson Defendants, # 10 Exhibit I- Refusal to accept service letter from Fergusons' criminal attorney, # 11 Exhibit J- Tax Assessor Record for Ferguson) (Badalamenti, Raechel) (Entered: 12/29/2011) |
| 01/03/2012 | 140 | NOTICE of Appearance by Patrick S. McKay on behalf of All Plaintiffs. (McKay, Patrick) (Entered: 01/03/2012) |

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| 01/10/2012 | 141 | OPINION AND ORDER granting 139 Plaintiff's Second Motion for Alternate Service and Extension of Summons. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 01/10/2012) |
| 01/10/2012 | | REQUEST for SUMMONS for Bobby W. Ferguson, Ferguson's Enterprises, Inc, Derrick A. Miller. (McKay, Patrick) (Entered: 01/10/2012) |
| 01/10/2012 | 142 | SUMMONS Issued for *Bobby W. Ferguson* (DPer) (Entered: 01/10/2012) |
| 01/10/2012 | 143 | SUMMONS Issued for *Ferguson's Enterprises, Inc* (DPer) (Entered: 01/10/2012) |
| 01/10/2012 | 144 | SUMMONS Issued for *Derrick A. Miller* (DPer) (Entered: 01/10/2012) |
| 01/10/2012 | 145 | MOTION to Intervene by City of Detroit. (Watson, Jerome) (Entered: 01/11/2012) |
| 01/11/2012 | 146 | INDEX of Exhibits by City of Detroit (Attachments: # 1 Exhibit 1A - Macomb Acquisition Agreement, # 2 Document Continuation 1B -, # 3 Exhibit 2A - Settlement Agreement, # 4 Document Continuation 2B, # 5 Exhibit C - Commodities Exp. Co. v. City of Detroit) (Watson, Jerome) (Entered: 01/11/2012) |
| 01/11/2012 | 147 | EXHIBIT 4 - <i>Intv. Compl.</i> re 146 Exhibit Index, 145 MOTION to Intervene by City of Detroit (Attachments: # 1 Document Continuation <i>Intv. Compl. cont'd</i>) (Watson, Jerome) (Entered: 01/11/2012) |
| 01/11/2012 | 148 | EXHIBIT re 147 Exhibit by All Defendants (Attachments: # 1 Exhibit Exhibit 1 to Exhibit 4, # 2 Exhibit Exhibit 2 to Exhibit 4, # 3 Exhibit Exhibit 3 to Exhibit 4, # 4 Exhibit Exhibit 4 to Exhibit 4, # 5 Exhibit Exhibit 5 to Exhibit 4, # 6 Exhibit Exhibit 6 to Exhibit 4, # 7 Exhibit Exhibit 7 to Exhibit 4, # 8 Exhibit Exhibit 8 to Exhibit 4, # 9 Exhibit Exhibit 9 to Exhibit 4, # 10 Exhibit Exhibit 10 to Exhibit 4, # 11 Exhibit Exhibit 11 to Exhibit 4, # 12 Exhibit Exhibit 12 to Exhibit 4) (Sahu, Saura) (Entered: 01/11/2012) |
| 01/11/2012 | 149 | NOTICE of Appearance by Don W. Blevins on behalf of Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Blevins, Don) (Entered: 01/11/2012) |
| 01/11/2012 | 150 | ANSWER to Complaint with Affirmative Defenses by Bharat Patel, Superior Engineering Associates, Inc.. (Yaldo, Scott) (Entered: 01/11/2012) |
| 01/12/2012 | 151 | STIPULATION AND ORDER for Extension of Time for defendants O'Laughlin Construction Company and Mark E O'Laughlin, (Responses due by 2/1/2012) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 01/12/2012) |
| 01/12/2012 | 152 | NOTICE of Appearance by Jerome R. Watson on behalf of All Defendants. (Watson, Jerome) [APPEARANCE FOR INTERVENOR PLAINTIFF CITY OF DETROIT] Modified on 1/13/2012 (DPer). (Entered: 01/12/2012) |
| 01/12/2012 | 153 | NOTICE of Appearance by Saura J. Sahu on behalf of All Defendants. (Sahu, Saura)[APPEARANCE FOR INTERVENOR PLAINTIFF CITY OF DETROIT] Modified on 1/13/2012 (DPer). (Entered: 01/12/2012) |
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| 01/13/2012 | 154 | NOTICE by Macomb Interceptor Drain Drainage District <i>Proof of Service of Mailing Pursuant to Order for Alternate Service Regarding Defendants Derrick Miller, Bobby W. Ferguson and Ferguson's Enterprises</i> (McKay, Patrick) (Entered: 01/13/2012) |
| 01/13/2012 | 155 | ORDER Setting Briefing Schedule on Non-Party City of Detroit's Motion to Intervene and Terminating Without Prejudice Defendants' 33 Motion to Dismiss; 40 Motion to Dismiss; 41 Motion to Dismiss; 49 Motion to Dismiss; 53 Motion for Sanctions; 58 Motion to Dismiss; 72 Motion to Dismiss; 99 Motion to Dismiss; 111 Motion to Dismiss; 130 Motion to Dismiss. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 01/13/2012) |
| 01/17/2012 | 156 | NOTICE of Appearance by Irene B. Hathaway on behalf of City of Detroit. (Hathaway, Irene) (Entered: 01/17/2012) |
| 01/17/2012 | 157 | NOTICE of Appearance by Joseph W. Uhl on behalf of City of Detroit. (Uhl, Joseph) (Entered: 01/17/2012) |
| 01/24/2012 | 158 | NOTICE by Macomb Interceptor Drain Drainage District <i>Proof of Service on Derrick Miller by Posting at USDC Pursuant to Order for Alternate Service of Process</i> (McKay, Patrick) (Entered: 01/24/2012) |
| 01/24/2012 | 159 | NOTICE by Macomb Interceptor Drain Drainage District <i>Proof of Service on Derrick Miller by Posting at WCCC Pursuant to Order for Alternate Service of Process</i> (McKay, Patrick) (Entered: 01/24/2012) |
| 01/24/2012 | 160 | NOTICE by Macomb Interceptor Drain Drainage District <i>Proof of Service on Bobby Ferguson by Posting at his home Pursuant to Order for Alternate Service of Process</i> (McKay, Patrick) (Entered: 01/24/2012) |
| 01/24/2012 | 161 | NOTICE by Macomb Interceptor Drain Drainage District <i>Proof of Service on Ferguson's Enterprises by Posting at its Office Pursuant to Order for Alternate Service of Process</i> (McKay, Patrick) (Entered: 01/24/2012) |
| 01/25/2012 | 162 | MOTION for Reconsideration re 155 Order on Motion to Dismiss,,,,,,, Order on Motion for Sanctions,,,,,,, by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Attachments: # 1 Exhibit Ex. 1, # 2 Exhibit Ex. 2, # 3 Exhibit Ex. 3, # 4 Exhibit Ex. 4, # 5 Exhibit Ex. 5, # 6 Exhibit Ex. 6) (Zack, David) (Entered: 01/25/2012) |
| 01/26/2012 | 163 | RESPONSE to 145 MOTION to Intervene <i>Statement</i> filed by Anthony Soave. (Fallucca, Thomas) (Entered: 01/26/2012) |
| 01/27/2012 | 164 | CERTIFICATE of Service/Summons Returned Executed. Bobby W. Ferguson served on 1/23/2012, answer due 2/13/2012; Ferguson's Enterprises, Inc served on 1/23/2012, answer due 2/13/2012; Derrick A. Miller served on 1/20/2012, answer due 2/10/2012. (McKay, Patrick) (Entered: 01/27/2012) |
| 01/27/2012 | 165 | ATTORNEY APPEARANCE: Kevin B. Hirsch appearing on behalf of Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams (Hirsch, Kevin) (Entered: 01/27/2012) |
| 01/27/2012 | 166 | |

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| | | ATTORNEY APPEARANCE: David W. Williams appearing on behalf of Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams (Williams, David) (Entered: 01/27/2012) |
| 01/27/2012 | 167 | NOTICE of Joinder/Concurrence in 162 MOTION for Reconsideration re 155 Order on Motion to Dismiss,,,,,,, Order on Motion for Sanctions,,,,,,, MOTION for Reconsideration re 155 Order on Motion to Dismiss,,,,,,, Order on Motion for Sanctions,,,,,,, filed by Antonio D'Agostini, L. Robert D'Agostini, James D'Agostini, L. D'Agostini & Sons, Inc. by Joe Harris, Hayward Baker, Inc or, in the Alternative, Motion for Clarification (Nelson - NOT SWORN, Erik) (Entered: 01/27/2012) |
| 01/27/2012 | 168 | RESPONSE to 145 MOTION to Intervene <i>IN OPPOSITION</i> filed by Inland Waters Pollution Control, Inc., Brian Lenaghan, Dennis Oszust, Patriot Pumps, LLC, Walter Rozycki, Robert L. Williams. (Attachments: # 1 Exhibit 1 - 10/4/2010 Letter from U.S. Department of Justice) (Poirier, David) (Entered: 01/27/2012) |
| 01/27/2012 | 169 | RESPONSE to 145 MOTION to Intervene filed by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Attachments: # 1 Exhibit Ex. 1, # 2 Exhibit Ex. 2, # 3 Exhibit Ex. 3, # 4 Exhibit Ex. 4, # 5 Exhibit Ex. 5, # 6 Exhibit Ex. 6, # 7 Exhibit Ex. 7, # 8 Exhibit Ex. 8, # 9 Exhibit Ex. 9) (Zack, David) (Entered: 01/27/2012) |
| 01/27/2012 | 170 | RESPONSE to 145 MOTION to Intervene <i>As a Matter of Right Under Fed.R.Civ.P. 24(A)</i> filed by Lakeshore Engineering Services, Inc., Avinash Rachmale. (Geller, Robert) (Entered: 01/27/2012) |
| 02/01/2012 | 171 | NOTICE of Appearance by Jeremy R. Heuer - NOT SWORN on behalf of Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC. (Heuer - NOT SWORN, Jeremy) (Entered: 02/01/2012) |
| 02/03/2012 | 172 | ATTORNEY APPEARANCE: Randall M. Lending - NOT SWORN appearing on behalf of Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC (Lending - NOT SWORN, Randall) (Entered: 02/03/2012) |
| 02/03/2012 | 173 | REPLY to Response re 145 MOTION to Intervene filed by City of Detroit. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1. Hiar v Hingston, # 3 Exhibit 2. Hanner v City of Dearborn Heights, # 4 Exhibit 3. Sparks v M&T Bank, # 5 Exhibit 4. Chandler v Wackenhut Corp.) (Sahu, Saura) (Entered: 02/03/2012) |
| 02/03/2012 | 174 | REPLY to Response re 145 MOTION to Intervene filed by City of Detroit. (Attachments: # 1 Exhibit 1. Grange Mut. Cas. Co. v Mack) (Sahu, Saura) (Entered: 02/03/2012) |
| 02/03/2012 | 175 | REPLY to Response re 145 MOTION to Intervene (<i>Re: Inland Waters</i>) filed by City of Detroit. (Sahu, Saura) (Entered: 02/03/2012) |
| 02/03/2012 | 176 | MOTION for Leave to File <i>to File First Amended Complaint</i> by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit Exhibit A - Proposed First Amended Complaint, # 2 Document Continuation Exhibits to Proposed First Amended Complaint, # 3 Document Continuation Cont. |

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| | | Exhibits to Proposed First Amended Complaint, # 4 Document Continuation Cont. Exhibits to Proposed First Amended Complaint) (Badalamenti, Raechel) (Entered: 02/03/2012) |
| 02/06/2012 | 177 | NOTICE of Appearance by W. Mack Faison on behalf of City of Detroit. (Faison, W.) (Entered: 02/06/2012) |
| 02/07/2012 | 178 | OPINION AND ORDER denying 162 D'Agostini Defendants Motion for Reconsideration and denying 167 Notice of Joinder/Concurrence, filed by Hayward Baker, Inc, Joe Harris. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/07/2012) |
| 02/08/2012 | 179 | STIPULATION AND ORDER for dismissal without prejudice as to defendants, Lakeshore Engineering Services, Inc. and Avinash Rachmale. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/08/2012) |
| 02/10/2012 | 180 | [STRICKEN] NOTICE of Appearance by Ronald E. Kaplovitz on behalf of FutureNet Group, Inc.. (Kaplovitz, Ronald) Modified on 2/21/2012 (LWag). (Entered: 02/10/2012) |
| 02/10/2012 | | Minute Entry - Status Conference held on 2/10/2012 before District Judge Robert H. Cleland. (LWag) (Entered: 02/10/2012) |
| 02/10/2012 | 181 | MOTION for Withdrawal of Attorney James C. Thomas; Michael C. Naughton by Kwame Kilpatrick. (Thomas, James) (Entered: 02/10/2012) |
| 02/13/2012 | | TEXT-ONLY ORDER STRIKING 180 Notice of Appearance filed by FutureNet Group, Inc.. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/13/2012) |
| 02/16/2012 | 182 | RESPONSE to 176 MOTION for Leave to File <i>to File First Amended Complaint</i> filed by Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Letter dated September 7, 2011, # 3 Exhibit B - Rule 11 Motion) (Mersino, Paul) (Entered: 02/16/2012) |
| 02/16/2012 | 183 | RESPONSE to 176 MOTION for Leave to File <i>to File First Amended Complaint</i> filed by Anthony Soave. (Todd, Gordon) (Entered: 02/16/2012) |
| 02/17/2012 | 184 | EXHIBIT <i>to Motion to Withdraw as Counsel</i> by Kwame Kilpatrick (Attachments: # 1 Exhibit Consent to Withdrawal) (Thomas, James) (Entered: 02/17/2012) |
| 02/17/2012 | 185 | RESPONSE to 176 MOTION for Leave to File <i>to File First Amended Complaint</i> filed by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 02/17/2012) |
| 02/17/2012 | 186 | RESPONSE to 176 MOTION for Leave to File <i>to File First Amended Complaint</i> filed by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 02/17/2012) |
| 02/23/2012 | 187 | REPLY to Response re 176 MOTION for Leave to File <i>to File First Amended Complaint</i> filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 02/23/2012) |
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| 02/24/2012 | 188 | Joint MOTION for Summary Judgment by Anthony Soave. (Fallucca, Thomas) (Entered: 02/24/2012) |
| 02/24/2012 | 189 | NOTICE of hearing on 145 MOTION to Intervene. Motion Hearing set for 4/4/2012 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 02/24/2012) |
| 02/27/2012 | 190 | Amended MOTION for Summary Judgment <i>Joint</i> by Anthony Soave. (Fallucca, Thomas) (Entered: 02/27/2012) |
| 02/28/2012 | 191 | MOTION to Strike 187 Reply to Response to Motion <i>or for Leave to File Surreply in Order to Respond to New and False Allegations</i> by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Attachments: # 1 Exhibit Ex. 1, Letter from David M. Zack to Raechel M. Badalamenti) (Zack, David) (Entered: 02/28/2012) |
| 02/28/2012 | 192 | ORDER Suspending briefing on 190 Amended MOTION for Summary Judgment <i>Joint</i> 188 Joint MOTION for Summary Judgment filed by Anthony Soave and Suspending any further motion practice, or briefing on currently filed motions. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/28/2012) |
| 03/01/2012 | 193 | REQUEST FOR CLERK'S ENTRY OF DEFAULT as to Derrick A. Miller by Macomb Interceptor Drain Drainage District. (McKay, Patrick) (Entered: 03/01/2012) |
| 03/01/2012 | 194 | REQUEST FOR CLERK'S ENTRY OF DEFAULT as to Bobby W. Ferguson by Macomb Interceptor Drain Drainage District. (McKay, Patrick) (Entered: 03/01/2012) |
| 03/01/2012 | 195 | REQUEST FOR CLERK'S ENTRY OF DEFAULT as to Ferguson's Enterprises, Inc by Macomb Interceptor Drain Drainage District. (McKay, Patrick) (Entered: 03/01/2012) |
| 03/01/2012 | 196 | CLERK'S ENTRY OF DEFAULT as to *Bobby W. Ferguson, Ferguson's Enterprises, Inc, Derrick A. Miller* (TMcg) (Entered: 03/01/2012) |
| 03/12/2012 | 197 | ORDER Holding in Abeyance 181 MOTION for Withdrawal of Attorney James C. Thomas; Michael C. Naughton filed by Kwame Kilpatrick. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/12/2012) |
| 03/21/2012 | 198 | SUPPLEMENTAL BRIEF re 181 MOTION for Withdrawal of Attorney James C. Thomas; Michael C. Naughton filed by Kwame Kilpatrick. (Thomas, James) (Entered: 03/21/2012) |
| 03/28/2012 | 199 | ORDER granting 181 Motion to Withdraw as Attorney for defendant Kwame Kilpatrick, Individually Tolling deadlines as to defendant Kilpatrick until 4/19/2012 and Directing Counsel to serve defendant Kilpatrick with a copy of this order.. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/28/2012) |
| 04/04/2012 | | Minute Entry - Motion Hearing held on 4/4/2012 re 145 MOTION to Intervene filed by City of Detroit before District Judge Robert H. Cleland. Disposition: |

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| | | Oral arguments on motion to intervene. Order to follow.(Court Reporter Larry Przybysz) (Bankston, T) (Entered: 04/05/2012) |
| 04/19/2012 | | Remark - At request of current counsel, Defendant Kilpatrick's deadline to obtain new counsel is extended to Monday, 4/23/2012. (LWag) (Entered: 04/19/2012) |
| 04/20/2012 | 200 | TRANSCRIPT of Motion Hearing held on April 4, 2012. (Court Reporter/Transcriber: Lawrence R. Przybysz) (Number of Pages: 48) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 5/11/2012. Redacted Transcript Deadline set for 5/21/2012. Release of Transcript Restriction set for 7/19/2012. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Przybysz, L) (Entered: 04/20/2012) |
| 04/25/2012 | 201 | CERTIFICATE OF SERVICE re 199 Order on Motion to Withdraw as Attorney, by Kwame Kilpatrick (Naughton, Michael) (Entered: 04/25/2012) |
| 05/07/2012 | 202 | OPINION AND ORDER Granting 145 City of Detroit and Detroit Water and Sewerage Department's Motion to Intervene, Imposing Briefing Schedules and Reinstating Rule 12 Responsive Pleadings Deadlines. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/07/2012) |
| 05/07/2012 | | TEXT-ONLY CERTIFICATE OF SERVICE re 202 Order on Motion to Intervene, on Kwame Kilpatrick at 455 E FM 1382, Suite 3-136, Cedar Hill, TX 75104. (LWag) (Entered: 05/07/2012) |
| 05/10/2012 | 203 | CERTIFICATE OF SERVICE re 145 MOTION to Intervene by City of Detroit (Watson, Jerome) (Entered: 05/10/2012) |
| 05/16/2012 | 204 | MEMORANDUM <i>Notice of Change of Address</i> by Superior Engineering Associates, Inc. (Yaldo, Scott) (Entered: 05/16/2012) |
| 05/21/2012 | 205 | INTERVENOR COMPLAINT <i>Of The Plaintiff City of Detroit Through The Detroit Water And Sewerage Department</i> filed by City of Detroit, Detroit Water and Sewerage Department against Bobby W. Ferguson, Ferguson's Enterprises, Inc, Inland Waters Pollution Control, Inc., Kwame Kilpatrick, L. D'Agostini & Sons, Inc., Victor M. Mercado, Derrick A. Miller. (Attachments: # 1 Index of Exhibits Index, # 2 Exhibit Miller Plea Agreement, # 3 Exhibit 4th Superseding Indictment, # 4 Exhibit Packet of Orders, # 5 Exhibit 11-25-02 Order Re: Contract Procurement Oversight, # 6 Exhibit Contract CS-1368, # 7 Exhibit Contract CM-1368-2, # 8 Exhibit Contract CM-1368-3, # 9 Exhibit Contract CM-1368-4) (Watson, Jerome) (Entered: 05/21/2012) |
| 05/21/2012 | | REQUEST for SUMMONS for Bobby W. Ferguson, Ferguson's Enterprises, Inc, Inland Waters Pollution Control, Inc., Kwame Kilpatrick, L. D'Agostini & Sons, Inc., Victor M. Mercado, Derrick A. Miller. (Watson, Jerome) (Entered: 05/21/2012) |
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| 05/21/2012 | 206 | RESPONSE to 190 Amended MOTION for Summary Judgment <i>Joint</i> , 188 Joint MOTION for Summary Judgment filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A- Macomb Acquisition Agreement with Schedule 3.8, dated 09/02/2010, # 3 Exhibit B- Bill of Sale dated 09/02/2010, # 4 Exhibit C- Affidavit of R. Craig Hupp, # 5 Exhibit D- Article, Assigning Common Law Claims for Fraud) (Badalamenti, Raechel) (Entered: 05/21/2012) |
| 05/21/2012 | 207 | Ex Parte MOTION for Leave to File Excess Pages <i>Regarding Response Brief filed as Docket #206</i> by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 05/21/2012) |
| 05/22/2012 | 208 | SUMMONS Issued for *Bobby W. Ferguson, Ferguson's Enterprises, Inc, Inland Waters Pollution Control, Inc., Kwame Kilpatrick, L. D'Agostini & Sons, Inc., Victor M. Mercado, Derrick A. Miller* (TMcg) (Entered: 05/22/2012) |
| 05/23/2012 | | Set/Reset Deadlines as to 188 Joint MOTION for Summary Judgment, 190 Amended MOTION for Summary Judgment <i>Joint</i> . City of Detroit and Water Department's Responses due by 5/29/2012 Replies due by 6/5/2012 (LWag) (Entered: 05/23/2012) |
| 05/23/2012 | | TEXT-ONLY ORDER GRANTING 207 Ex Parte MOTION for Leave to File Excess Pages <i>Regarding Response Brief filed as Docket #206</i> filed by Macomb Interceptor Drain Drainage District. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/23/2012) |
| 05/29/2012 | 209 | MOTION for Partial Summary Judgment by Perry Mehta. (Kaplovitz, Ronald) (Entered: 05/29/2012) |
| 05/29/2012 | 210 | CERTIFICATE of Service/Summons Returned Executed. Inland Waters Pollution Control, Inc. served on 5/29/2012, answer due 6/19/2012. (Watson, Jerome) (Entered: 05/29/2012) |
| 05/29/2012 | 211 | CERTIFICATE of Service/Summons Returned Executed. Bobby W. Ferguson served on 5/24/2012, answer due 6/14/2012. (Watson, Jerome) (Entered: 05/29/2012) |
| 05/29/2012 | 212 | CERTIFICATE of Service/Summons Returned Executed. Ferguson's Enterprises, Inc served on 5/24/2012, answer due 6/14/2012. (Watson, Jerome) (Entered: 05/29/2012) |
| 05/29/2012 | 213 | RESPONSE to 190 Amended MOTION for Summary Judgment <i>Joint</i> filed by City of Detroit. (Attachments: # 1 Index of Exhibits Index, # 2 Exhibit A - Macomb County Interceptor Acquisition Agreement, # 3 Exhibit B - Medilink Ins. Co., Ltd. v Comerica Bank, # 4 Exhibit C - Hillside Productions, Inc. v County of Macomb, # 5 Exhibit D - Stacey v ZF Lemforder Corp., # 6 Exhibit E - Ayoub v Unum Life Ins. Co. of Am., # 7 Exhibit F - Andrews v Strategic Outsourcing Inc., # 8 Exhibit G - Biography of R. Craig Hupp) (Watson, Jerome) (Entered: 05/29/2012) |
| 05/30/2012 | 214 | |

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| | | MOTION to Dismiss by Mark E O'Laughlin, O'Laughlin Construction Company. (Attachments: # 1 Exhibit A - part one, # 2 Exhibit A - part two) (Noonan, Thomas) (Entered: 05/30/2012) |
| 05/31/2012 | 215 | ANSWER to 205 Intervenor Complaint,, by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc.. (Herstein, Matthew) (Entered: 05/31/2012) |
| 05/31/2012 | 216 | CERTIFICATE OF SERVICE re 215 Answer (Free) by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc. (Herstein, Matthew) (Entered: 05/31/2012) |
| 05/31/2012 | 217 | NOTICE of hearing on 188 Joint MOTION for Summary Judgment, 190 Amended MOTION for Summary Judgment <i>Joint</i> , 176 MOTION for Leave to File to File <i>First Amended Complaint</i> . Motion Hearing set for 7/25/2012 02:00 PM before District Judge Robert H. Cleland (LWag) (Entered: 05/31/2012) |
| 05/31/2012 | | TEXT-ONLY CERTIFICATE OF SERVICE re 217 Notice of Hearing on Motion, on Kwame Kilpatrick at 455 E FM 1382, SUITE 3-136, CEDAR HILL, TX 75104. (LWag) (Entered: 05/31/2012) |
| 06/01/2012 | 218 | MOTION to Dismiss <i>under Rule 12(B)(6)</i> by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 06/01/2012) |
| 06/04/2012 | 219 | MOTION to Dismiss by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 06/04/2012) |
| 06/05/2012 | 220 | REPLY to Response re 190 Amended MOTION for Summary Judgment <i>Joint</i> , 188 Joint MOTION for Summary Judgment <i>Concurring Defendants</i> filed by Anthony Soave. (Fallucca, Thomas) (Entered: 06/05/2012) |
| 06/05/2012 | 221 | MOTION to Dismiss by Steve Rohrscheib, Rohrscheib Sons Caissons, Inc.. (Herstein, Matthew) (Entered: 06/05/2012) |
| 06/05/2012 | 222 | REPLY to Response re 190 Amended MOTION for Summary Judgment <i>Joint</i> , 188 Joint MOTION for Summary Judgment filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 06/05/2012) |
| 06/06/2012 | 223 | CERTIFICATE of Service/Summons Returned Executed. L. D'Agostini & Sons, Inc. served on 6/5/2012, answer due 6/26/2012. (Sahu, Saura) (Entered: 06/06/2012) |
| 06/06/2012 | 224 | Joint MOTION to Strike 222 Reply to Response to Motion <i>filed by Plaintiff MIDD</i> by Anthony Soave. (Fallucca, Thomas) (Entered: 06/06/2012) |
| 06/06/2012 | 225 | RESPONSE to 224 Joint MOTION to Strike 222 Reply to Response to Motion <i>filed by Plaintiff MIDD</i> filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 06/06/2012) |
| 06/08/2012 | 226 | REPLY to Response re 224 Joint MOTION to Strike 222 Reply to Response to Motion <i>filed by Plaintiff MIDD Joint Reply</i> filed by Anthony Soave. (Fallucca, Thomas) (Entered: 06/08/2012) |
| 06/11/2012 | 227 | ORDER Tolling Deadlines for Responsive pleadinga and SUSPENDING further Motion Practice and Briefing on Pending Motions to Dismiss re 221 |

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| | | MOTION to Dismiss filed by Rohrscheib Sons Caissons, Inc., Steve Rohrscheib, 218 MOTION to Dismiss <i>under Rule 12(B)(6)</i> filed by Antonio D'Agostini, L. Robert D'Agostini, James D'Agostini, L. D'Agostini & Sons, Inc., 219 MOTION to Dismiss filed by Walter Rozycki, Dennis Oszust, Inland Waters Pollution Control, Inc., Robert L. Williams, 214 MOTION to Dismiss filed by Mark E O'Laughlin, O'Laughlin Construction Company. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 06/11/2012) |
| 06/11/2012 | | TEXT-ONLY CERTIFICATE OF SERVICE re 227 Order,, on Kwame Kilpatrick at 455 E FM 1382, Suite 3-136, Cedar Hill, TX 75104. (LWag) (Entered: 06/11/2012) |
| 06/12/2012 | | Attorney Olivia N. Keuten is discontinued from receiving Notices of Electronic Filing. (Keuten, Olivia) (Entered: 06/12/2012) |
| 06/12/2012 | 228 | ORDER denying Concurring Defendants' 224 Joint Motion to Strike. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 06/12/2012) |
| 06/12/2012 | | TEXT-ONLY CERTIFICATE OF SERVICE re 228 Order on Motion to Strike on Kwame Kilpatrick at 455 E FM 1382, Suite 3-136, Cedar Hill, TX 75104. (LWag) (Entered: 06/12/2012) |
| 06/15/2012 | 229 | CERTIFICATE of Service/Summons Returned Executed. Kwame Kilpatrick served on 6/2/2012, answer due 6/25/2012. (Sahu, Saura) (Entered: 06/15/2012) |
| 06/15/2012 | 230 | REQUEST FOR CLERK'S ENTRY OF DEFAULT as to Bobby W. Ferguson by City of Detroit, Detroit Water and Sewerage Department. (Sahu, Saura) (Entered: 06/15/2012) |
| 06/15/2012 | 231 | REQUEST FOR CLERK'S ENTRY OF DEFAULT as to Ferguson's Enterprises, Inc by City of Detroit, Detroit Water and Sewerage Department. (Sahu, Saura) (Entered: 06/15/2012) |
| 06/15/2012 | 232 | CLERK'S ENTRY OF DEFAULT as to *Bobby W. Ferguson* (KKra) (Entered: 06/15/2012) |
| 06/15/2012 | 233 | CLERK'S ENTRY OF DEFAULT as to *Ferguson's Enterprises, Inc* (KKra) (Entered: 06/15/2012) |
| 07/13/2012 | 234 | CERTIFICATE of Service/Summons Returned Executed. Victor M. Mercado served on 6/25/2012, answer due 7/16/2012. (Sahu, Saura) (Entered: 07/13/2012) |
| 07/25/2012 | | Minute Entry - Motion Hearing held on 7/25/2012 re 190 Amended MOTION for Summary Judgment <i>Joint</i> filed by Anthony Soave, 188 Joint MOTION for Summary Judgment filed by Anthony Soave, 176 MOTION for Leave to File <i>to File First Amended Complaint</i> filed by Macomb Interceptor Drain Drainage District before District Judge Robert H. Cleland. Disposition: TAKEN UNDER ADVISEMENT(Court Reporter Christin Russell) (LWag) (Entered: 07/25/2012) |
| 08/20/2012 | 235 | NOTICE by All Plaintiffs <i>Supplemental Notice</i> (Scott, Lawrence) (Entered: 08/20/2012) |

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| 08/28/2012 | 236 | NOTICE of Joinder/Concurrence in by Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC <i>Notice/Motion To Join Amended Motion For Summary Judgment (Docket Nos. 188, 190)</i> (Stella, Stephen) (Entered: 08/28/2012) |
| 09/17/2012 | 237 | OPINION AND ORDER denying 176 Plaintiff's Motion for Leave to File a First Amended Complaint; granting 190 Concurring Defendants' Motion for Summary Judgment; terminating as moot 191 D'Agostini Defendants' Motion to Strike; granting 209 Defendants Futurenet Group, Inc., and Perry Mehta's Motion for Partial Summary Judgment and Directing Plaintiff Macomb Interceptor to Show Cause by 9/24/2012, why summary judgment should not be entered in favor of all remaining non-moving Defendants on the non-contractual claims.. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 09/17/2012) |
| 09/17/2012 | | TEXT-ONLY CERTIFICATE OF SERVICE re 237 Order on Motion for Leave to File, Order on Motion for Summary Judgment, Order on Motion to Strike, Order on Motion for Partial Summary Judgment, on Victor M. Mercado at 7066 SE Bay Hill Drive, Stuart, FL 34997. (LWag) (Entered: 09/17/2012) |
| 09/17/2012 | | TEXT-ONLY CERTIFICATE OF SERVICE re 237 Order on Motion for Leave to File, Order on Motion for Summary Judgment, Order on Motion to Strike, Order on Motion for Partial Summary Judgment, on Kwame Kilpatrick at 455 E FM 1382, Suite 3-136, Cedar Hill, TX 75104. (LWag) (Entered: 09/17/2012) |
| 09/21/2012 | 238 | Ex Parte MOTION to Extend Summons and to Allow Permission to Serve by Alternate Means by City of Detroit, Detroit Water and Sewerage Department. (Watson, Jerome) (Entered: 09/21/2012) |
| 09/23/2012 | 239 | Amended MOTION Ex Parte to Extend and Issue Second Summons by City of Detroit, Detroit Water and Sewerage Department. (Watson, Jerome) (Entered: 09/23/2012) |
| 09/24/2012 | 240 | Amended MOTION for Leave to File <i>First Amended Complaint</i> by All Plaintiffs. (Attachments: # 1 Exhibit A - Revised Proposed First Amended Complaint, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit) (Badalamenti, Raechel) (Entered: 09/24/2012) |
| 09/24/2012 | 241 | RESPONSE to 237 Order on Motion for Leave to File,,, Order on Motion for Summary Judgment,,,,,, Order on Motion to Strike,,, Order on Motion for Partial Summary Judgment,, by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 09/24/2012) |
| 09/29/2012 | 242 | ORDER granting 239 Motion to Extend the Service Deadline and Receive New Summons for defendant Derrick A. Miller. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 09/29/2012) |
| 10/03/2012 | 243 | TRANSCRIPT of Motion Hearing held on 7/25/12. (Court Reporter/Transcriber: Christin E. Russell) (Number of Pages: 48) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made |

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| | | remotely electronically available to the public without redaction after 90 days. Redaction Request due 10/24/2012. Redacted Transcript Deadline set for 11/5/2012. Release of Transcript Restriction set for 1/2/2013. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Russell, C.) (Entered: 10/03/2012) |
| 10/03/2012 | | TEXT-ONLY CERTIFICATE OF SERVICE of Transcript on Kwame Kilpatrick at 455 E. FM 1382, Suite 3-136, Cedar Hill, TX 75104. (Russell, C.) (Entered: 10/03/2012) |
| 10/05/2012 | | Attorney Lauren DuVal Donofrio is discontinued from receiving Notices of Electronic Filing. Reason: No longer with firm. (Donofrio, Lauren) (Entered: 10/05/2012) |
| 10/08/2012 | 244 | RESPONSE to 240 Amended MOTION for Leave to File <i>First Amended Complaint</i> filed by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 10/08/2012) |
| 10/08/2012 | 245 | RESPONSE to 240 Amended MOTION for Leave to File <i>First Amended Complaint</i> filed by Anthony Soave. (Fallucca, Thomas) (Entered: 10/08/2012) |
| 10/09/2012 | 246 | RESPONSE to 240 Amended MOTION for Leave to File <i>First Amended Complaint (in Opposition)</i> filed by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 10/09/2012) |
| 10/15/2012 | 247 | REPLY to Response re 240 Amended MOTION for Leave to File <i>First Amended Complaint re: the D'Agostini Defendant's Memorandum of Law (Docket #244)</i> filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 10/15/2012) |
| 10/15/2012 | 248 | REPLY to Response re 240 Amended MOTION for Leave to File <i>First Amended Complaint re: Defendant Soave's Response in Opposition (Docket #245)</i> filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 10/15/2012) |
| 10/17/2012 | 249 | REPLY to Response re 240 Amended MOTION for Leave to File <i>First Amended Complaint Re: Inland Defendant's Brief in Opposition (Docket #246)</i> filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 10/17/2012) |
| 10/31/2012 | 250 | MOTION for Sanctions <i>under Rule 11 against counsel for the Macomb Interceptor Drain Drainage District</i> by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 10/31/2012) |
| 10/31/2012 | 251 | OPINION AND ORDER GRANTING Summary Judgment to the Non-Moving Defendants and DENYING 240 Plaintiff's Motion to Amend the Complaint. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 10/31/2012) |
| 10/31/2012 | | |

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| | | TEXT-ONLY CERTIFICATE OF SERVICE re 251 Order on Motion for Leave to File on Kwame Kilpatrick at 455 E FM 1382, Suite 3-136, Cedar Hill, TX 75104. (LWag) (Entered: 10/31/2012) |
| 10/31/2012 | 252 | MOTION for Sanctions <i>(Rule 11) With Respect to Plaintiff Macomb Interceptor Drain Drainage District's Motion for Leave to File (Revised) First Amended Complaint and Proposed (Revised) First Amended Complaint</i> by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A - Rule 11 Communication Notice, # 3 Exhibit B - Email Communication, # 4 Exhibit C - Inland Defendants' Response) (Poirier, David) (Entered: 10/31/2012) |
| 11/14/2012 | 253 | MOTION to Dismiss <i>Counts III and VIII of the City of Detroit's Complaint-In-Intervention</i> by L. D'Agostini & Sons, Inc.. (Attachments: # 1 Exhibit Ex. 1, DWSD Suspension and Debarment Policy, # 2 Exhibit Ex. 2, Trans. of Hearing on Walbridge Aldinger, Co.s Motion for a TRO and Preliminary Injunction, Feb. 7, 2012, # 3 Exhibit Ex. 3, Letter from James Fausone to David Zack, dated Jan. 26, 2012, # 4 Exhibit Ex. 4, Transcript of March 7, 2012 Debarment Hearing, # 5 Exhibit Ex. 5, Minutes of the March 14, 2012 DWSD Board Meeting) (Zack, David) (Entered: 11/14/2012) |
| 11/14/2012 | 254 | MOTION for Sanctions <i>under Rule 11 against the City of Detroit</i> by L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 11/14/2012) |
| 11/14/2012 | 255 | RESPONSE to 250 MOTION for Sanctions <i>under Rule 11 against counsel for the Macomb Interceptor Drain Drainage District</i> filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E, # 6 Exhibit Exhibit F, # 7 Exhibit Exhibit G, # 8 Exhibit Exhibit H, # 9 Exhibit Exhibit I) (Badalamenti, Raechel) (Entered: 11/14/2012) |
| 11/14/2012 | 256 | MOTION for Reconsideration re 251 Order on Motion for Leave to File by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit 1 re: Rohrscheib File, # 2 Exhibit 2 re: Great Lakes Diving, # 3 Exhibit 3 re: NTH Engineering File) (Badalamenti, Raechel) (Entered: 11/14/2012) |
| 11/16/2012 | 257 | Emergency MOTION for Sanctions <i>Regarding Unauthorized Ex Parte Subpoenas</i> by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc., Dennis Oszust, Walter Rozycki, Anthony Soave, Robert L. Williams. (Attachments: # 1 Exhibit Ex. 1, E-mail from David M. Zack to Raechel Badalamenti, Nov. 15, 2012, 11:40 a.m., # 2 Exhibit Ex. 2, E-mail from Raechel Badalamenti to David M. Zack, Nov. 15, 2012, 1:27 p.m., # 3 Exhibit Ex. 3, Subpoena directed to NTH, # 4 Exhibit Ex. 4, Subpoena directed to Superior Engineering, # 5 Exhibit Ex. 5, Subpoena directed to Inland, # 6 Exhibit Ex. 6, Grievance Administrator v. Stefani, No. 09-47-GA, Attorney Discipline Board, May 11, 2011)) (Zack, David) (Entered: 11/16/2012) |
| 11/16/2012 | 258 | Ex Parte MOTION for Leave to File <i>to File a Response to the Macomb Interceptor Drain Drainage District's Motion for Partial Reconsideration</i> by L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 11/16/2012) |
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| 11/19/2012 | 259 | STIPULATION AND ORDER Extending Time to File a response as to 252 MOTION for Sanctions (<i>Rule 11</i>) With Respect to Plaintiff Macomb Interceptor Drain Drainage District's Motion for Leave to File (Revised) First Amended Complaint and Proposed (Revised) First Amended Complaint : (Responses due by 11/20/2012) Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/19/2012) |
| 11/19/2012 | 260 | RESPONSE to 252 MOTION for Sanctions (<i>Rule 11</i>) With Respect to Plaintiff Macomb Interceptor Drain Drainage District's Motion for Leave to File (Revised) First Amended Complaint and Proposed (Revised) First Amended Complaint filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F) (Badalamenti, Raechel) (Entered: 11/19/2012) |
| 11/19/2012 | 261 | Ex Parte MOTION For Leave to File a Response to Plaintiff's Motion for Partial Reconsideration by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 11/19/2012) |
| 11/21/2012 | | REQUEST for SUMMONS for Derrick A. Miller. (Sahu, Saura) (Entered: 11/21/2012) |
| 11/26/2012 | 262 | SUMMONS Issued for *Derrick A. Miller* (KKra) (Entered: 11/26/2012) |
| 11/26/2012 | 263 | REPLY to Response re 250 MOTION for Sanctions <i>under Rule 11 against counsel for the Macomb Interceptor Drain Drainage District</i> filed by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 11/26/2012) |
| 11/28/2012 | 264 | RESPONSE to 254 MOTION for Sanctions <i>under Rule 11 against the City of Detroit</i> filed by City of Detroit, Detroit Water and Sewerage Department. (Attachments: # 1 Exhibit 1. LD&S Br. Served Copy) (Watson, Jerome) (Entered: 11/28/2012) |
| 11/30/2012 | 265 | MOTION for Certificate of Appealability by All Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Badalamenti, Raechel) Modified on 12/4/2012 (PMil).[DOCUMENT ENTITLED PLAINTIFF'S MOTION FOR CERTIFICATION PURSUANT TO FEDERAL RULE 54(b) REGARDING ORDERS DATED 9/17/2012 AND 10/31/2012 AND/OR FOR AN ORDER CERTIFYING AN INTERLOCUTORY APPEAL UNDER 28U.S.C.1292(b)] (Entered: 11/30/2012) |
| 11/30/2012 | 266 | RESPONSE to 257 Emergency MOTION for Sanctions <i>Regarding Unauthorized Ex Parte Subpoenas</i> filed by Macomb Interceptor Drain Drainage District. (Badalamenti, Raechel) (Entered: 11/30/2012) |
| 12/05/2012 | 267 | RESPONSE to 253 MOTION to Dismiss <i>Counts III and VIII of the City of Detroit's Complaint-In-Intervention</i> filed by City of Detroit, Detroit Water and Sewerage Department. (Watson, Jerome) (Entered: 12/05/2012) |
| 12/05/2012 | 268 | REPLY to Response re 254 MOTION for Sanctions <i>under Rule 11 against the City of Detroit</i> filed by L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 12/05/2012) |

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| 12/07/2012 | 269 | REPLY to Response re 257 Emergency MOTION for Sanctions <i>Regarding Unauthorized Ex Parte Subpoenas</i> filed by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc., Dennis Oszust, Walter Rozycki, Anthony Soave, Robert L. Williams. (Attachments: # 1 Exhibit Ex. 1, Transcript of April 4, 2012 hearing, # 2 Exhibit Ex. 2, Transcript of July 25, 2012 hearing, # 3 Exhibit Ex. 3, E-mail from David M. Zack, Dec. 3, 2012, 3:59 p.m.) (Zack, David) (Entered: 12/07/2012) |
| 12/07/2012 | 270 | STIPULATED ORDER of Dismissal with prejudice as to the Inland Waters Pollution Control, Inc.as to the Intervening Complaint. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/07/2012) |
| 12/13/2012 | 271 | REPLY to Response re 252 MOTION for Sanctions (<i>Rule 11</i>) <i>With Respect to Plaintiff Macomb Interceptor Drain Drainage District's Motion for Leave to File (Revised) First Amended Complaint and Proposed (Revised) First Amended Complaint</i> filed by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 12/13/2012) |
| 12/14/2012 | 272 | RESPONSE to 265 MOTION for Certificate of Appealability filed by Anthony Soave. (Todd, Gordon) (Entered: 12/14/2012) |
| 12/14/2012 | 273 | RESPONSE <i>Brief in Opposition to Plaintiff's Motion for Certification Pursuant to Rule 54(B) Regarding Orders Dated 9//17/2012 and 10/31/2012 and/or For an Order Certiffying an Interlocutory Appeal Under 28 U.S.C. 1292(B)</i> by Inland Waters Pollution Control, Inc., Dennis Oszust, Benjamin Rosenberg, Rotor Electric Company of Michigan, LLC, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 12/14/2012) |
| 12/14/2012 | 274 | NOTICE of Joinder/Concurrence in 272 Response to Motion filed by Anthony Soave, 273 Response (Free), filed by Rotor Electric Company of Michigan, LLC, Benjamin Rosenberg, Walter Rozycki, Dennis Oszust, Inland Waters Pollution Control, Inc., Robert L. Williams by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc. (Zack, David) (Entered: 12/14/2012) |
| 12/17/2012 | 275 | NOTICE of Joinder/Concurrence in 274 Notice of Joinder/Concurrence, filed by Antonio D'Agostini, L. Robert D'Agostini, James D'Agostini, L. D'Agostini & Sons, Inc. by Mark E O'Laughlin, O'Laughlin Construction Company (Noonan, Thomas) (Entered: 12/17/2012) |
| 12/17/2012 | 276 | RESPONSE to 265 MOTION for Certificate of Appealability filed by Marco Mersino, Rodney A Mersino, Mersino Dewatering, Inc.. (Mersino, Paul) Modified on 12/19/2012 (PMil).[DOCUMENT ENTITLED THE MERSINO WATERING DEFENDANTS' NOTICE OF CONCURRENCE WITH CO-DEFENDANTS' RESPONSES IN OPPOSITION TO MIDD'S MOTION FOR CERTIFICATION] (Entered: 12/17/2012) |
| 12/18/2012 | 277 | NOTICE of Joinder/Concurrence in by Perry Mehta (Kaplovitz, Ronald) Modified on 12/19/2012 (PMil).[DOCUMENT ENTITLED FUTURENET GROUP, INC. DBA MULTI SOLUTIONS GROUP INC. AND PERRY MEHTA'S NOTICE OF JOINDER IN OPPOSITION TO THE MACOMB |

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| | | INTERCEPTOR DRAIN DRAINAGE DISTRICT'S MOTION FOR CERTIFICATION] (Entered: 12/18/2012) |
| 12/21/2012 | 278 | REPLY to Response re 265 MOTION for Certificate of Appealability filed by All Plaintiffs. (Badalamenti, Raechel) (Entered: 12/21/2012) |
| 12/24/2012 | 279 | REPLY to Response re 253 MOTION to Dismiss <i>Counts III and VIII of the City of Detroit's Complaint-In-Intervention</i> filed by L. D'Agostini & Sons, Inc.. (Attachments: # 1 Exhibit Ex. 1, M.L. Elrick, Jennifer Dixon and Jim Schaefer, Detroit mayor's pal got inside scoop on contracts, Detroit Free Press, March 9, 2008, # 2 Exhibit Ex. 2, M.L. Elrick and Jennifer Dixon, 7-million assist for Mayor's friend?; Pal called unfit for hotel project; City denies influence, Detroit Free Press, April 6, 2008, # 3 Exhibit Ex. 3, M.L. Elrick, Kilpatrick helped friends get grants; A lasting friendship: Mayor weathers it all with Ferguson, Detroit Free Press, May 18, 2008, # 4 Exhibit Ex. 4, The Fix for that Sinking Feeling, In the Flow (DWSD Winter 2005)) (Zack, David) (Entered: 12/24/2012) |
| 12/27/2012 | 280 | ORDER granting 258 Motion and granting 261 Motion to Respond to Plaintiff's Motion for Partial Reconsideration Response due by 1/4/2013. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/27/2012) |
| 12/28/2012 | 281 | NOTICE of Appearance by Albert B. Addis on behalf of Macomb Interceptor Drain Drainage District. (Addis, Albert) (Entered: 12/28/2012) |
| 01/04/2013 | 282 | RESPONSE to 256 MOTION for Reconsideration re 251 Order on Motion for Leave to File <i>The Inland Defendants' Brief in Opposition to Plaintiff's Motion for Partial Reconsideration</i> filed by Inland Waters Pollution Control, Inc., Dennis Oszust, Walter Rozycki, Robert L. Williams. (Poirier, David) (Entered: 01/04/2013) |
| 01/04/2013 | 283 | RESPONSE to 256 MOTION for Reconsideration re 251 Order on Motion for Leave to File filed by Antonio D'Agostini, James D'Agostini, L. Robert D'Agostini, L. D'Agostini & Sons, Inc.. (Zack, David) (Entered: 01/04/2013) |
| 01/08/2013 | 284 | Emergency MOTION for Alternate Service (<i>Ex Parte</i>) by City of Detroit, Detroit Water and Sewerage Department. (Attachments: # 1 Exhibit Plea Agreement, # 2 Exhibit Garibay v Sullivan) (Watson, Jerome) (Entered: 01/08/2013) |
| 01/10/2013 | 285 | OPINION AND ORDER denying 284 Intervening Plaintiff's Emergency Motion for Alternate Service of Process. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 01/10/2013) |
| 01/15/2013 | 286 | CERTIFICATE of Service/Summons Returned Executed. [DERRICK MILLER WAS ONLY SERVED NOT] City of Detroit served on 1/14/2013, answer due 2/4/2013; Detroit Water and Sewerage Department served on 1/14/2013, answer due 2/4/2013. (Watson, Jerome) [DOCKET ERROR-WRONG PARTY SELECTED SHOULD BE DERRICK MILLER] Modified on 1/16/2013 (TMcg). (Entered: 01/15/2013) |
| 02/11/2013 | 287 | OPINION AND ORDER denying Satellite Motions - 250 Motion for Sanctions; 252 Motion for Sanctions; 253 Motion to Dismiss; 254 Motion for |

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| | | Sanctions; 256 Motion for Reconsideration ; 257 Motion for Sanctions. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/11/2013) |
| 02/11/2013 | 288 | ORDER Vacating 287 Order on Motion for Sanctions,, Order on Motion to Dismiss,, Order on Motion for Reconsideration, Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/11/2013) |
| 02/11/2013 | 289 | AMENDED OPINION AND ORDER DENYING Satellite Motions re - 256 MOTION for Reconsideration re 251 Order on Motion for Leave to File, 252 MOTION for Sanctions (<i>Rule 11 With Respect to Plaintiff Macomb Interceptor Drain Drainage District's Motion for Leave to File (Revised) First Amended Complaint and Proposed (Revised) First Amended Complaint</i> , 265 MOTION for Certificate of Appealability filed by Macomb Interceptor Drain Drainage District, 254 MOTION for Sanctions <i>under Rule 11 against the City of Detroit</i> , 250 MOTION for Sanctions <i>under Rule 11 against counsel for the Macomb Interceptor Drain Drainage District</i> , 257 Emergency MOTION for Sanctions <i>Regarding Unauthorized Ex Parte Subpoenas</i> . Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/11/2013) |
| 02/11/2013 | 290 | OPINION AND ORDER GRANTING 253 MOTION to Dismiss <i>Counts III and VIII of the City of Detroit's Complaint-In-Intervention</i> filed by L. D'Agostini & Sons, Inc., DISMISSING WITHOUT PREJUDICE Counts III and VIII of Detroit's Complaint and the City of Detroit may submit an Amended Complaint by 2/18/2013. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 02/11/2013) |
| 02/11/2013 | | TEXT-ONLY CERTIFICATE OF SERVICE re 289 Order, 288 Order to Vacate, 290 Order, 287 Order on Motion for Sanctions, Order on Motion to Dismiss,, Order on Motion for Reconsideration, on Kwame Kilpatrick at 455 E. FM 1382, Suite 3-136, Cedar Hill, TX 75104. (LWag) (Entered: 02/11/2013) |
| 02/21/2013 | 291 | NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 2/28/2013 01:30 PM before District Judge Robert H. Cleland (LWag) (Entered: 02/21/2013) |
| 02/28/2013 | | Minute Entry - Telephone Conference held on 2/28/2013 before District Judge Robert H. Cleland. Disposition: Order to be issued setting briefing schedule for a motion to dismiss from Inland (LWag) (Entered: 02/28/2013) |
| 03/05/2013 | 292 | ORDER Setting Briefing Schedule and Vacating Deadline (Inland Waters' Motion to Dismiss due by 3/15/2013; Responses due by 4/12/2013, Replies due by 4/26/2013) and vacating the deadline for the City of Detroit to amend the complaint until further order of the Court. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/05/2013) |
| 03/08/2013 | 293 | NOTICE by L. D'Agostini & Sons, Inc. re 292 Order, Set Motion and R&R Deadlines/Hearings,, 290 Order, <i>Letter Requesting Reinstatement of February 18, 2013 Deadline for City of Detroit to File an Amended Complaint</i> (Zack, David) (Entered: 03/08/2013) |
| 03/15/2013 | 294 | Amended MOTION Inland now brings this amended motion to dismiss with prejudice the remaining one breach of contract count in MIDDD's Complaint. |

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| | | by Inland Waters Pollution Control, Inc.. (Attachments: # 1 Index of Exhibits, # 2 Exhibit Speedy Effort Fixes Macomb Interceptor Giant Sinkhole, MI-APWA Great Lakes Reporter, Spring 2006, # 3 Exhibit Emergency Repair of Oakland-Macomb Interceptor Collapse: A Case History, N. Am. Tunneling 415 (2006), # 4 Exhibit CS-1368, Amendment 3) (Poirier, David) Modified on 3/15/2013 (PMil).[DOCUMENT ENTITLED DEFENDANT INLAND WATERS POLLUTION CONTROL,INC.'S AMENDED MOTION TO DISMISS] (Entered: 03/15/2013) |
| 03/18/2013 | 295 | ORDER Construing as a Motion to Reconsider re: 293 Notice/Letter filed by L. D'Agostini & Sons, Inc. and DENYING the letter seeking relief. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 03/18/2013) |
| 04/12/2013 | 296 | MOTION for Leave to File Excess Pages by Macomb Interceptor Drain Drainage District. (Addis, Albert) (Entered: 04/12/2013) |
| 04/12/2013 | | TEXT-ONLY ORDER GRANTING 296 MOTION for Leave to File Excess Pages filed by Macomb Interceptor Drain Drainage District. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 04/12/2013) |
| 04/12/2013 | 297 | RESPONSE to 294 Amended MOTION Inland now brings this amended motion to dismiss with prejudice the remaining one breach of contract count in MIDDD's Complaint. <i>Response to Inland Waters Amended Motion to Dismiss</i> filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Index of Exhibits, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit) (Addis, Albert) (Entered: 04/12/2013) |
| 04/12/2013 | 298 | RESPONSE to 294 Amended MOTION Inland now brings this amended motion to dismiss with prejudice the remaining one breach of contract count in MIDDD's Complaint. <i>Exhibit 11 to Plaintiff's Response to Inland waters Amended Motion to Dismiss</i> filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit) (Addis, Albert) (Entered: 04/12/2013) |
| 04/12/2013 | 299 | RESPONSE to 294 Amended MOTION Inland now brings this amended motion to dismiss with prejudice the remaining one breach of contract count in MIDDD's Complaint. <i>Exhibit 11, Part 2 of Plaintiff's Response to Defendant Inlands Amended Motion to Dismiss</i> filed by Macomb Interceptor Drain Drainage District. (Attachments: # 1 Exhibit) (Addis, Albert) (Entered: 04/12/2013) |
| 04/26/2013 | 300 | Ex Parte MOTION for Leave to File Excess Pages <i>to File Reply Brief in Excess of Five Pages</i> by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 04/26/2013) |
| 04/26/2013 | 301 | REPLY to Response re 294 Amended MOTION Inland now brings this amended motion to dismiss with prejudice the remaining one breach of contract count in MIDDD's Complaint. <i>Defendant Inland Waters Pollution Control, Inc.'s Reply in Further Support of Amended Motion to Dismiss</i> filed by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 04/26/2013) |
| 05/07/2013 | | |

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| | | TEXT-ONLY ORDER GRANTING 300 Ex Parte MOTION for Leave to File Excess Pages <i>to File Reply Brief in Excess of Five Pages</i> filed by Inland Waters Pollution Control, Inc.. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 05/07/2013) |
| 07/03/2013 | 302 | ORDER granting 294 Defendant Inland Waters Pollution Control's Motion to dismiss and directing the plaintiff to submit the amended complaint (alleging the one contract claim) no later that 7/15/2013.. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 07/03/2013) |
| 07/05/2013 | 303 | Notice of E-mail Delivery Failure as to attorney Joseph W. Uhl. Bounced NEF for 302 Order on Motion - Free. (TMcg) (Entered: 07/05/2013) |
| 07/11/2013 | 304 | Ex Parte MOTION TO EXTEND Time to File First Amended Complaint by All Plaintiffs. (Addis, Albert) (Entered: 07/11/2013) |
| 07/11/2013 | 305 | RESPONSE to 304 Ex Parte MOTION TO EXTEND Time to File First Amended Complaint <i>Brief in Opposition</i> filed by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 07/11/2013) |
| 07/12/2013 | 306 | REPLY to Response re 304 Ex Parte MOTION TO EXTEND Time to File First Amended Complaint filed by All Plaintiffs. (Addis, Albert) (Entered: 07/12/2013) |
| 07/12/2013 | | TEXT-ONLY ORDER GRANTING 304 Ex Parte MOTION TO EXTEND Time to File First Amended Complaint filed by Macomb Interceptor Drain Drainage District - Amended Complaint due no later than 7/22/2013 Signed by District Judge Robert H. Cleland. (LWag) (Entered: 07/12/2013) |
| 07/22/2013 | 307 | AMENDED COMPLAINT with Jury Demand filed by All Plaintiffs against All Defendants. NO NEW PARTIES ADDED. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N, # 16 Exhibit O, # 17 Exhibit P, # 18 Exhibit Q, # 19 Exhibit R, # 20 Exhibit S, # 21 Exhibit T, # 22 Exhibit U, # 23 Exhibit V, # 24 Exhibit W) (Addis, Albert) (Entered: 07/22/2013) |
| 08/06/2013 | 308 | Ex Parte MOTION <i>to File Responsive Pleading to Plaintiff's Amended Complaint on or Before August 16, 2013</i> by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 08/06/2013) |
| 08/06/2013 | 309 | RESPONSE to 308 Ex Parte MOTION <i>to File Responsive Pleading to Plaintiff's Amended Complaint on or Before August 16, 2013</i> filed by All Plaintiffs. (Attachments: # 1 Exhibit) (Addis, Albert) (Entered: 08/06/2013) |
| 08/13/2013 | | TEXT-ONLY ORDER Granting Inland Waters Pollution Control, Inc.'s 308 Ex Parte MOTION <i>to File Responsive Pleading to Plaintiff's Amended Complaint on or Before August 16, 2013</i> (Response due by 8/16/2013). Signed by District Judge Robert H. Cleland. (Monda, H) (Entered: 08/13/2013) |
| 08/16/2013 | 310 | MOTION to Dismiss <i>Plaintiff Macomb Interceptor Drain Drainage District's First Amended Complaint</i> by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 08/16/2013) |

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| 08/20/2013 | 311 | NOTICE OF HEARING on 310 MOTION to Dismiss <i>Plaintiff Macomb Interceptor Drain Drainage District's First Amended Complaint</i> . Motion Hearing set for 10/16/2013 at 2:00 PM before District Judge Robert H. Cleland. (Monda, H) (Entered: 08/20/2013) |
| 09/06/2013 | 312 | RESPONSE to 310 MOTION to Dismiss <i>Plaintiff Macomb Interceptor Drain Drainage District's First Amended Complaint</i> filed by All Plaintiffs. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C) (Addis, Albert) (Entered: 09/06/2013) |
| 10/01/2013 | 313 | REPLY to Response re 310 MOTION to Dismiss <i>Plaintiff Macomb Interceptor Drain Drainage District's First Amended Complaint in Further Support</i> filed by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 10/01/2013) |
| 10/11/2013 | | TEXT-ONLY NOTICE: Hearing on 10/16/13 is Cancelled re 310 MOTION to Dismiss <i>Plaintiff Macomb Interceptor Drain Drainage District's First Amended Complaint</i> , (LWag) (Entered: 10/11/2013) |
| 11/07/2013 | 314 | OPINION AND ORDER denying 310 Defendant's Motion to Dismiss Plaintiff's First Amended Complaint. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 11/07/2013) |
| 11/08/2013 | 315 | NOTICE TO APPEAR: Scheduling Conference set for 11/20/2013 10:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 11/08/2013) |
| 11/08/2013 | | TEXT-ONLY CERTIFICATE OF SERVICE re 314 Order on Motion to Dismiss, 315 Notice to Appear on Kwame Kilpatrick Pris. No. 44678-039 at FCI MILAN, P. O. Box 1000, Milan, MI 48160. (LWag) (Entered: 11/08/2013) |
| 11/08/2013 | | TEXT-ONLY CERTIFICATE OF SERVICE re 314 Order on Motion to Dismiss, 315 Notice to Appear on Bobby W. Ferguson Pris. No. 44950-039 at FCI Milan, P.O. Box 1000, Milan, MI 48160. (LWag) (Entered: 11/08/2013) |
| 11/13/2013 | | Set Deadlines/Hearings: AT THE REQUEST OF COUNSEL - Status Conference re-set for 11/26/2013 10:00 AM before District Judge Robert H. Cleland (LWag) (Entered: 11/13/2013) |
| 11/19/2013 | 316 | DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Addis, Albert) (Entered: 11/19/2013) |
| 11/20/2013 | 317 | DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Poirier, David) (Entered: 11/20/2013) |
| 11/25/2013 | 318 | ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 11/25/2013) |
| 11/25/2013 | 319 | MOTION for Reconsideration re 314 Order on Motion to Dismiss <i>Plaintiff's First Amended Complaint</i> by Inland Waters Pollution Control, Inc.. (Poirier, David) (Entered: 11/25/2013) |
| 11/25/2013 | 320 | |

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| | | Mail Returned as Undeliverable. Mail sent to Bobby W. Ferguson re Certificate of Service, 314 Order on Motion to Dismiss, 315 Notice to Appear (DWor) (Entered: 11/26/2013) |
| 11/26/2013 | 321 | CERTIFICATE OF SERVICE by Inland Waters Pollution Control, Inc. <i>Upon Bobby Ferguson and Kwame Kilpatrick</i> (Poirier, David) (Entered: 11/26/2013) |
| 11/26/2013 | | Minute Entry for proceedings held before District Judge Robert H. Cleland: Status Conference held on 11/26/2013 (LWag) (Entered: 11/27/2013) |
| 11/27/2013 | | TEXT-ONLY CERTIFICATE OF SERVICE re 314 Order on Motion to Dismiss on Bobby W. Ferguson Pris. No. 44950-039 at FCI Milan, P.O. Box 1000, Milan, MI 48160. (Re-sent on 11/27/2013) (LWag) (Entered: 11/27/2013) |
| 12/10/2013 | 322 | SCHEDULING ORDER: Discovery due by 10/27/2014 Dispositive Motion Cut-off set for 12/1/2014 Final Pretrial Conference set for 3/9/2015 02:00 PM before District Judge Robert H. Cleland Jury Trial set for 3/23/2015 09:00 AM before District Judge Robert H. Cleland Signed by District Judge Robert H. Cleland. (Refer to image for additional dates) (LWag) (Entered: 12/10/2013) |
| 12/16/2013 | 323 | [STRICKEN} DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Addis, Albert) Modified on 12/19/2013 (LWag). (Entered: 12/16/2013) |
| 12/18/2013 | 324 | <i>PRELIMINARY WITNESS LIST</i> by Detroit Water and Sewerage Department (Watson, Jerome) (Entered: 12/18/2013) |
| 12/18/2013 | 325 | <i>Preliminary WITNESS LIST</i> by Inland Waters Pollution Control, Inc. (Poirier, David) (Entered: 12/18/2013) |
| 12/18/2013 | 326 | <i>PLAINTIFF MACOMB INTERCEPTOR DRAIN DRAINAGE DISTRICT PRELIMINARY WITNESS LIST</i> by All Plaintiffs (Addis, Albert) (Entered: 12/18/2013) |
| 12/19/2013 | | TEXT-ONLY ORDER STRIKING 323 Discovery Plan - Rule 26f. 26(a) Initial Disclosures are not to be filed on the docket Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/19/2013) |
| 12/23/2013 | 327 | OPINION AND ORDER denying 319 Plaintiff's Motion for Reconsideration. Signed by District Judge Robert H. Cleland. (LWag) (Entered: 12/23/2013) |
| 06/06/2014 | 328 | [STRICKEN] NOTICE by All Plaintiffs (Addis, Albert) Modified on 6/6/2014 (TMcg). (Entered: 06/06/2014) |
| 06/06/2014 | | NOTICE of Error directed to: Albert B. Addis re 328 Notice (Other). Document is prohibited discovery, disclosure or a certificate of service thereof. Document was stricken. [No Image Associated with this docket entry] (TMcg) (Entered: 06/06/2014) |

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